

REMARKS

Claims 1-4 were pending in the present application. Claims 1-4 have been cancelled without prejudice and new claims 5-18 have been added. Applicants submit herewith a "Version with Markings to Show Changes Made" in compliance with 37 C.F.R. § 121.

Support for the new claims can be found throughout the specification and claims as originally filed. No new matter has been added.

Sequence Requirement

In response to the Notice to Comply with Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Applicants submit herewith a paper copy, pages 1-28, and computer readable copy (CRF) of a substitute Sequence Listing that comply with C.F.R. §§ 1.821-1.825 for the above-identified application. The substitute Sequence Listing is identical in substance to the Sequence Listing as filed in PCT/JP97/03239 at pages 64-116. Minor formalities (*e.g.*, Applicants name etc.) have been attended to.

Election/Restriction

The Office Action has required restriction to one of the following inventions under 35 U.S.C. §§121 and 372:

Group I, claims 1-4, as drawn to a protein of SEQ ID NO:1 and DNAs of SEQ ID NO:10 and 19.

Group II, claims 1-4, as drawn to a protein of SEQ ID NO:2 and DNAs of SEQ ID NO:11 and 20.

Group III, claims 1-4, as drawn to a protein of SEQ ID NO:27 and DNAs of SEQ ID NO:12 and 21.

Group IV, claims 1-4, as drawn to a protein of SEQ ID NO:4 and DNAs of SEQ ID NO:13 and 22.

Group V, claims 1-4, as drawn to a protein of SEQ ID NO:3 and DNAs of SEQ ID NO:14 and 23.

Group VI, claims 1-4, as drawn to a protein of SEQ ID NO:6 and DNAs of SEQ ID NO:15 and 24.

Group VII, claims 1-4, as drawn to a protein of SEQ ID NO:7 and DNAs of SEQ ID NO:16 and 25.

Group VIII, claims 1-4, as drawn to a protein of SEQ ID NO:8 and DNAs of SEQ ID NO:17 and 26.

Group IX, claims 1-4, as drawn to a protein of SEQ ID NO:9 and DNAs of SEQ ID NO:18 and 27.

Applicants hereby elect, without traverse, to prosecute the invention of **Group IX** which is directed to the polypeptide designated **HP10368** and its corresponding amino acid and nucleotide sequences, SEQ ID NOs:9, 18 and 27. Non-elected claims have been cancelled, and new claims 5-18, directed to the subject matter of Group IX, have been added. Applicants reserve the right to pursue the non-elected subject matter in one or more divisional applications, and reserve the right to traverse the restriction with respect to the non-elected subject matter.

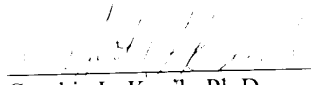
CONCLUSION

On the basis of the foregoing amendment and remarks, Applicants respectfully submit that the pending claims are in condition for allowance.

If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the examiner is urged to call Applicants' Attorney at (617) 227-7400.

Respectfully submitted,

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